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ATTN: Examiner Oluwatosin Ogunbiyi

Application No: 10/537,583

WSGR Ref No: 35813-703.831

Art Unit: 1645

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Application No. 10/537,583
WSGR Reference No. 35813-703.831
Examiner: Oluwatosin Ogunbiyi
February 20, 2009
Via facsimile

Applicant takes this opportunity to thank Examiner Ogunbiyi and Supervisory Patent Examiner Mondesi for the opportunity to interview the Office on February 19, 2009.

In response to a Restriction Requirement, Applicant previously elected to pursue Group I in this case. Applicant advises the Office of Applicant's intention to file a Divisional application under 35 U.S.C. § 121 directed to claims 14-16 and 18-22 of Group II on Monday February 23, 2009. The Office previously characterized Group II as "drawn to a method of the treatment or prevention of fungal infections in a host." See, Requirement for Restriction, dated August 29, 2006, which is hereby incorporated by reference.

In the instant application, claims 1, 8, 23- 29, and 31- 35 of the elected Group I are currently pending. In furtherance of a point of discussion that occurred during the interview, Applicant proposes to amend claims 1 and 8 to clarify that CCA1 is essential in *Candida albicans*. Support for the amendments to the claims can be found throughout the specification and claims as originally filed in at least the following places: paragraphs [0015] and [0019], and Examples 4.1, 4.2, and 5. For example, according to the summary section, the specification provides a description of "the essential nature of CCA1 in *C. albicans*." See, paragraph [0015]. The specification further provides that an "Essential Gene is defined as a fungal gene necessary for growth on rich medium." See, paragraph [0019]. Applicant submits that no new matter has been introduced with the amendment to claims 1 and 8.

Applicant respectfully requests entry of the foregoing amendments, and expressly authorizes the Examiner to do so under M.P.E.P. § 1302.04. Applicant submits that claims 1, 8, 23- 29, and 31- 35 are in condition for allowance and respectfully requests issuance of a patent.